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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,456	11/28/2003	Jong Seok Kim	0465-1101P	8289

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EXAMINER

RIGGLEMAN, JASON PAUL

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,456

Applicant(s)

KIM ET AL.

Examiner

Jason P. Riggleman

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because the part number label "11" for the fixing hole in Fig. 2, is described in the specification (paragraphs [0010] to [0011]) as part number "21". Also, part number labels "611b" and "4" described in the specification (paragraphs [0055] and [0013] respectively) do not appear in any of the drawings. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-2, 6-7, 10-12, and 16-17 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted state of the art, ASA, disclosed by the applicant.
3. The ASA (paragraphs [0007] – [0017]) and (Figs. 1-4) teaches a washing machine 1 including a tub 3 with a drum 3a provided inside, which has a drain hose 5 for discharging the water into the tub outside the cabinet, and a drain hose holder assembly 60 inserted through a fixing hole 11.
4. The drain hose holder assembly 60 has an entrance end 61a formed at a side in which the drain hose 5 is inserted, an exit end 61b opposite to the entrance end 61a, and a hose loading part 61c between the entrance end 61a and the exit end 61b.
5. The hose guide part 61 has a curved outline such as an oval figure and a sphere so that the drain hose 5 is led outside the cabinet 20. The locking part 65 consists of a bracket 65a inserted into the fixing hole 11 of the cabinet 20, an insertion protrusion 65b formed at the upper end of the bracket 65a and a fixing protrusion 65c formed at the lower portion of the bracket 65a.
6. The bracket 65a consists of one end connected to the guide part 61, the other end vertically bent upward to support an outer wall of the cabinet 20, and an opening at

its center. The insertion protrusion 65b passes the fixing hole 11 to an inner wall of the cabinet 20 above the fixing hole 11 when the drain hose holder 60 is installed at the fixing hole 11.

7. The fixing protrusion 65c has a wedge shape having a predetermined slope so that the drain hose holder 60 is not separated from the cabinet 20. The drain hose 5 has a bellows shape having wrinkles on its lateral side to enable free bending. The hose guide part 61 is constructed as either curved like an oval or a spherical line. The cross-section of the entrance is narrower than the loading part or the exit end.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-5, 8-9, 13-15, and 18-19 are rejected under 35 U.S.C. 103(a) as being obvious over the admitted state of the art, ASA, disclosed by the applicant.

4. The ASA teaches the apparatus, as described in paragraphs 2-7 above, but does not teach a hose loading part having a secondary-curved shape as described claims 3 and 13. It has been held that changes in shape would have been obvious (*In re Dailey* 149, USPQ 47). It would be obvious to one of ordinary skill in the art to modify the ASA by slightly changing the slope or curvature of the hose guide part to create a hose guide part which allows for effective hose installation.

5. The ASA does not teach a holder assembly wherein the slant wedge shape lower support body is provided to each side of the hose loading part in claims 8 and 17-18; however, the ASA does teach a wedge shaped fixing protrusion which has a predetermined slope and is on the lower portion of the bracket and assists in preventing detachment of the assembly from the washing machine. It has been held that duplication of parts would have been obvious (*In re Harza*, 124 USPQ 378). It would be obvious to one of ordinary skill in the art to modify the ASA by duplicating or changing the positions of the wedge shaped protrusion to provide a more effective means of affixing the drain hose holder assembly to the washing machine.

6. The ASA does not teach a holder assembly wherein the outer support body comprises an exit fixing part extending in winding outside the cabinet in the vertical axis of the opening in claim 9 and 19. It has been held that duplication of parts would have been obvious (*In re Harza*, 124 USPQ 378). It would be obvious to one of ordinary skill in the art to modify the ASA entrance fixing part and to duplicate in on the outside of the machine to produce an exit fixing part; thereby, making a more effective securing device for the hose.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hood, Jr. et al. (US Patent No. 4870988), Putnam (US Patent No. 4860791), Heo et al. (US Patent No. 7077166), and Patera et al. (US Patent No. 5312138). Hood and Heo teach a one-piece drain hose for a washer wherein the corrugated drain hose is secured through the cabinet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Riggleman whose telephone number is 571-272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Riggleman
Examiner
Art Unit 1746

A handwritten signature in black ink, appearing to read 'M. Barr', with a stylized flourish extending from the bottom right.

MICHAEL BARR
SUPERVISORY PATENT EXAMINER